

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LOTUS JUSTICE,

Plaintiff,

:

v.

Case No. 2:21-cv-5902

Judge Sarah D. Morrison

Magistrate Judge Michael R. Merz

DALLAS BALDWIN, *et al.*,

:

Defendants.

ORDER

This matter is before the Court on the Magistrate Judge's Substituted Report and Recommendation (R&R) and Plaintiff Lotus Justice's accompanying Objection (ECF Nos. 8, 13), and the Supplemental R&R and accompanying Objection (ECF Nos. 15, 17).

If a party objects to a R&R, the Court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b). Upon review, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

The Court has reviewed the R&Rs and Plaintiff's Objections; the issues raised have been correctly addressed by the Magistrate Judge.

The Court **OVERRULES** Plaintiff's Objections (ECF Nos. 13, 17) and **ADOPTS** the R&Rs (ECF Nos. 8, 15). For the reasons stated therein, Plaintiff's Petition is dismissed with prejudice to a further filing under 28 U.S.C. § 2241, but

without prejudice to any proceeding under 28 U.S.C. § 2254 post-conviction. The Court **CERTIFIES** that any appeal would be frivolous and not taken in good faith and, therefore, **DENIES** Plaintiff *in forma pauperis status* on appeal. The Clerk shall terminate this case from the Court's docket.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE